HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SHRI JUSTICE G. BHAVANI PRASAD

WRIT APPEAL No.179 OF 2006

BETWEEN

C. Balakrishna Reddy and four others

.....**Appellants**

And

The Government of Andhra Pradesh,

Represented by its Principal Secretary,

Secretariat Buildings, Hyderabad and two others.

.....**Respondents**

:: JUDGMENT ::

Counsel for the Appellants :Shri T. Lakshminarayana

Counsel for the Respondents : Government Pleader for Land Acquisition

Dated: 22-02-2006

Per G.S. SINGHVI, CJ

Heard the learned counsel for the parties and perused the record.

The averments contained in the memo of appeal, which has been filed with the sole prayer that Writ Petition No.12491 of 1996 may be declared as infructuous, shows how casual and perfunctory approach is adopted by the counsel representing the parties results in wastage of valuable time of the Court. The appellants had filed the writ petition in the year 1996 with the complaint that the application made under Section 18(1) of the Land Acquisition Act, 1894 (for short 'the Act') is not being decided. They prayed for issuance of a mandamus to the respondents to refer the matter to the competent Court for determination of their prayer for enhancement of compensation.

As it now transpires, during the pendency of the writ petition, the competent authority had made a reference under Section 18(1) of the Act which was registered as O.P.No.96 of 2002 and was disposed of by learned Senior Civil Judge, Gudur, Nellore District.

We are sure that if the counsel for the appellants had bothered to appear before the learned Single Judge or the learned Government Pleader had apprised the Court about the development which had taken place during the

pendency of the writ petition, the learned Single Judge would have been relieved of the burden of recording an unnecessary order.

Be that as it may, keeping in view the fact that the prayer made in the writ petition had become infructuous, we deem it proper to allow the appeal and declare Writ Petition No.12491 of 1996 as infructuous. Ordered accordingly.

G.S. SINGHVI, CJ

G. BHAVANI PRASAD, J

22-02-2006

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